

REMARKS

Applicant wishes to thank the Examiner for the telephonic interview conducted on April 15, 2008. In light of the discussion during the telephonic interview, the following remarks are presented.

In the Office Action mailed from the United States Patent and Trademark Office on January 24, 2008, the Examiner rejected claims 1, 4 and 8 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, rejected claims 1, 4-7 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin (United States Patent No. 5,490,353, hereinafter "McLaughlin"), rejected claims 2-3 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin in view of Cotton Jr (United States Patent No. 6,588,159, hereinafter "Cotton"), rejected claims 1 and 4-6 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber (United States Patent No. 4,175,357, hereinafter "Goldhaber"), rejected claims 2-3, 8, 10-11 and 13-16 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of Cotton, rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of McLaughlin, rejected claims 12 and 17 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of Cotton as applied to claim 8 or 13, and further in view of McLaughlin, rejected claims 1-6, 8-11, 13, 15-16 and 18 under 35 U.S.C. 103(a) as being unpatentable over Tizzoni (United States Patent No. 4,974,366, hereinafter "Tizzoni"). Accordingly, Applicant respectfully provides the following:

Rejections under 35 U.S.C. §112

In the Office Action, the Examiner rejected claims 1, 4 and 8 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention. Applicant has amended the rejected claims 1 and 8 to more accurately point out and distinctly claim the relationship between the decorative covering and the remainder of the interior window covering frame assembly. Specifically, the Examiner argued that the use of the limitation of “coupled to” is confusing and indefinite with regard to describing the relationship between the decorative covering and the frame assembly. Therefore, to resolve this confusion, Applicant has amended claims 1 and 8 to include the term “abutting” to further describe the relationship between the two elements. As such, Applicant respectfully submits that the amendments provided herein overcome the rejections made by the Examiner under 35 U.S.C. 112, second paragraph.

Examiner further argues that the limitation of claim 4 is redundant based on the limitation presented in claim 1. Applicant respectfully submits that the amendments provided to claim 1 remove this redundancy and overcome the Examiner’s rejection under 35 U.S.C. 112, second paragraph.

Rejections under 35 U.S.C. §103

In the Office Action, the Examiner rejected claims 1, 4-7 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin, rejected claims 2-3 under 35 U.S.C. 103(a) as being unpatentable over McLaughlin in view of Cotton Jr, rejected claims 1 and 4-6 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber, rejected claims 2-3, 8, 10-11 and 13-16 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of Cotton, rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of McLaughlin, rejected claims 12 and 17 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of Cotton applied to claim 8 or 13, and further in view of McLaughlin, rejected claims 1-6, 8-11, 13, 15-16 and 18 under 35 U.S.C.

103(a) as being unpatentable over Tizzoni. Applicant respectfully submits that the claim set as provided herein is not made obvious by the cited references and provides the following:

The standard for a Section 103 rejection is set for in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the references cited by the Examiner do not teach or suggest the limitations claimed in the present invention. In particular, amended independent claim 1 recites an interior window covering frame assembly comprising: an elongate core substrate configured to entirely frame an interior facing surface of a window opening, wherein said elongate core substrate comprises a thickness of less than 5/16 inch, said elongate core substrate having an elongate lateral plate and a flange perpendicularly coupled to said lateral plate, the flange dividing the lateral plate into a first portion and a second portion, wherein said elongate lateral plate is configured to be coupled in a parallel fashion to an adjacent wall, and wherein said elongate flange is configured to extend out from said wall; a connecting channel coupled to a first portion of a first face of said flange and to said first portion of said lateral plate; a window covering coupled to a second portion of said first face of said flange, wherein said second portion of said flange is configured to retain at least a portion of said window covering; and a decorative covering abutting both a second face of said flange and said second portion of said lateral plate, wherein said decorative covering substantially conceals said second face of said flange and said second portion of said lateral plate.

Amended independent claim 8 recites an interior window covering frame assembly for entirely framing an interior facing of a window opening, the assembly comprising: an elongate core substrate having a thickness less than 5/16 inch and comprising at least one material having an elastic modulus greater than 2.3E, said elongate core substrate having an elongate lateral plate and a flange perpendicularly coupled to said lateral plate, wherein said elongate lateral plate is configured to be coupled in a parallel fashion to an adjacent wall, and wherein said flange is configured to extend out from said wall and to retain a hinge that is coupled to a decorative window covering; a connecting channel coupled to a second portion of said lateral plate and to a first portion of said flange; a window covering coupled to a second portion of said flange; and a decorative covering abutting at least a second portion of said lateral plate and a third portion of said flange, wherein said decorative covering conceals said second portion of said lateral plate and said third portion of said flange.

Independent claim 13 recites an interior window covering frame system comprising: a window having an associated window jamb and adjacent wall; a frame substrate configured to entirely frame an interior facing surface of an opening of said window, said substrate comprising a lateral plate and a flange perpendicularly coupled to said lateral plate, the flange dividing said lateral plate into a first portion and a second portion, wherein said lateral plate is configured to be coupled in a parallel fashion to said adjacent wall, and wherein said flange is configured to extend out from said, said substrate being configured to be mounted to at least one of said window jamb and said adjacent wall, said frame substrate having a thickness of less than 5/16 inch and comprising at least one material having an elastic modulus greater than 2.3E; at least one connecting channel coupled to said frame substrate wherein said connecting channel is configured to be coupled to a perpendicularly oriented connecting channel along a second

elongate lateral plate; a window covering coupled to said frame substrate; and a decorative covering coupled to said frame substrate to substantially conceal at least a portion of said frame substrate.

Independent claim 18 recites a method for anchoring an interior window covering to an interior facing surface of an interior window, the interior window having a window jamb and an adjacent wall, said method comprising: providing a frame substrate that comprises a thickness of less than 5/16 inch and has , by volume, an elastic modulus greater than wood, and wherein said substrate further comprises a lateral plate and a flange perpendicularly coupled to said lateral plate, the flange dividing the lateral plate into a first portion and a second portion; coupling said frame substrate to one of a window jamb and an adjacent wall surface, wherein said lateral plate is coupled in a parallel fashion to said adjacent wall, and wherein said flange is positioned to extend out from said adjacent wall and has a depth sufficient to accommodate a hinge attached to said interior window covering; using a connecting channel to interconnect a first portion of said frame substrate with a second portion of said frame substrate; coupling said connecting channel to a perpendicularly oriented connecting channel along a second elongate lateral plate; abutting a decorative covering to a second portion of said frame substrate to substantially conceal said second portion of said frame substrate; attaching said hinge of said interior window covering to said flange; and using said flange to retain said hinge that is coupled to said interior window covering.

Such limitations as recited in the amended independent claims are supported by the application as originally filed. In contrast, Applicant respectfully submits that none of the cited references, alone or in combination, teaches or suggests all of the claim limitations of independent claims 1, 8, 13, or 18 as provided herein. And, since the references cited by the

Examiner do not teach or suggest each and every limitation of the independent claims, Applicant respectfully submits that the prior art references do not make obvious the independent claims. Moreover, since the prior art references do not make obvious the independent claims, Applicant respectfully submits that the prior art references do not make obvious the corresponding dependent claims, which depend from the independent claims.

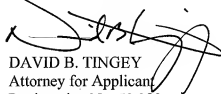
Thus, Applicant respectfully submits that for at least the reasons provided herein, the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 24th day of June, 2008.

Respectfully submitted,


DAVID B. TINGEY
Attorney for Applicant
Registration No. 52,289

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4814
Facsimile: (801) 321-4893

DBT:DC:wmc
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